



Slowing Speeders and Implementing AB 321

Posted by **Pierluigi Oliverio** on Monday, August 23, 2010

Put aside the State's raid of city funds for a moment and instead, let's be thankful for one of the best gifts cities have received from the state legislature...Assembly Bill 321 (AB321).

AB 321 allows cities the flexibility and discretion to lower speed limits on two-lane streets adjacent to public and private schools, which are currently posted at 25 miles per hour. For example, San Jose has many schools that are located in residential neighborhoods that have two lane roads with a 25mph speed. These streets may have the speeds lowered to 20mph or 15mph by implementing AB321. However, a school that is located on a four lane road would not be eligible, nor a school alongside a road that has a higher speed limit than 25 mph.

Once you determine which schools fit the basic criteria of AB321, a certified traffic study of the street is required per the state. The traffic study must be completed by a professional in the field. If a city does not have the skilled individual to conduct the study (due to rising pension costs) then the traffic studies do not get completed. (Half of the citywide traffic calming positions were eliminated in June). If a city does have the resources to do the traffic study then the study must show a lower speed than 25mph to qualify lowering the speed.

I think if the state legislature would eliminate that requirement, or lower the threshold, that would be ideal. Because the majority of drivers may drive 30mph in a certain school zone is not an excuse to condone higher speeds around schools.

I personally feel slowing down traffic around schools is a good thing to do for safety of kids but also for surrounding residents. A few weeks ago, I proposed a pilot program implementing AB321 on Dana Avenue. Due to the fire at Trace, the faculty, children and parents are walking back and forth across Dana to and from the temporary portable buildings across the street. Thus, Dana is perfect opportunity to try AB321.

Some may say that speed limits do not matter unless there is enforcement. I agree that some people do not change their behavior unless they are ticketed and fined. We can say this for any law that is broken on a daily basis in this country. However, speeding citywide cannot be enforced today with our limited police resources.

Writing speeding tickets, I have been told by the captain of the police traffic enforcement division, does not fully fund the officers, since cities in California only receive approximately 10 percent of the revenue on moving violations—the balance goes to the state and the court system.

I am of the mindset that even without 24/7 enforcement a large portion of the driving population obeys the law by driving the speed limit or stops at intersections with stop signs and traffic signals. There will always be those that are deviant but I don't think anyone expects government to be all knowing and stop every violation or infraction without using surveillance technology as is done in other areas. Additionally, I support using technology like photo radar since we will never have enough police to monitor 2,300 miles of road or the over 900 signalized intersections in San Jose.

We need to do all we can to try and lay out the ground rules to make our schools and surrounding neighborhoods safer. It also means that we can shame those that drive recklessly and, yes, sometimes they are parents of students during the drop off pick up time—or they might be your neighbor.

When I was a kid and missed the school bus to Hoover my Dad would drop me off unsafely on Park Avenue across the street. My dad is a swell guy but he would know better today, since we have much more education regarding drop off and pick up. There really isn't any excuse for not following the rules when it comes to driving safely; especially in our neighborhoods.

I believe after we tackle the pension problem and over time are able to increase positions eliminated by the structural deficit, we should expand lower speed limits to school areas where applicable city-wide. Regardless of council district or geography in San Jose all schools aggregate cars and thus causes concerns for neighbors. Lower speed limits is part of the solution.

In addition, I think the lower speed limit flexibility should also be extended to neighborhood business districts like Lincoln Avenue, portions of The Alameda, Japantown, Alum Rock, etc.... Here again though, we need the state legislature to allow this flexibility. We are not asking for money just the ability to control speeding to promote commerce while being more pedestrian friendly and thus provide a quality community experience.

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